

## **HJR 622 STUDY**

### **CHESAPEAKE BAY PRESERVATION ACT - EXPANSION**

RESOLVED FURTHER, That the Chesapeake Bay Local Assistance Department be requested to submit to the Commission for inclusion in Commission's interim report (i) **an assessment of the benefits to the environment, along with the costs and effects to state and local governments of extending the Act to include localities outside of "Tidewater Virginia" that are within the Chesapeake Bay watershed;** (ii) **the potential need for changes to existing regulations to reflect differences in the topography and geology for such an expansion; and (iii) the financial resources needed in the form of state implementation grants to local governments for such an expansion.** The Department shall complete and submit its findings and recommendations to the Commission by October 20, 2001.

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## **APPENDENCES**

### ***Background Documents***

#### **1 –*Legislative - - - Resolutions, Statutes, Regulations***

1. HJ 622, 2001 Session, *Requesting the Joint Legislative Audit and Review Commission to report on the implementation of the Chesapeake Bay Preservation Act.*
2. HJ 161 Karst Groundwater Monitoring and Protection in the Shenandoah Valley
3. SJ 438 Study: Implementation of local erosion and sediment control programs and local stormwater management programs
4. HJ 771 Department of Health and Department of Environmental Quality regrading management and treatment of waste water
5. SJ 373 Continuing the Commission Studying the Future of Virginia's Environment
6. SB 821 Expansion of the jurisdiction of Chesapeake Bay Preservation Act with fiscal impact statement
7. Chesapeake Bay Watershed Development Policies and Guidelines, Agreement (1987) Report, January 1989, Chesapeake Executive Council
8. Chesapeake Bay 2000 Agreement
9. List of C2K Commitments requiring local government implementation (LGAC)
10. Final Proposal for Program Amendment – Incorporation of the Chesapeake Bay Preservation Act Program into the Virginia Coastal Resource Management Program, 1996.
11. Chesapeake Bay Preservation Act (§ 10.1-2100, et. seq.)
12. Chesapeake Bay Preservation Area Designation and Management Regulations (§ 9 VAC 10-20-10, et. seq.)

#### **2 –*Environmental Reference documents***

1. *Working Together to Protect Streams, Rivers, and the Bay*, CBLAD Brochure, 2001
2. *Virginia's Bay Act Program*, CBLAD Brochure, circa 1992
3. *A Guide to the Bay Act, Virginia's Chesapeake Bay Preservation Bay Act Program*
4. Virginia Nonpoint Source Pollution Management Program, Executive Summary, developed in 1999. (web download)
5. Virginia Nonpoint Source Pollution Management Program, Background
6. Virginia Nonpoint Source Pollution Management Program, Watershed Prioritization
7. *Living With Sinkholes* [www.dcr.state.va.us/dnh/lws.htm](http://www.dcr.state.va.us/dnh/lws.htm)
8. *Small Streams Contribute Far More Than Previously Thought to Clean Waterways*, Science Daily, April 10, 2001
9. *Control of Nitrogen Export from Watersheds by Headwater Streams*, Science, Vol. 292, April 6, 2001
10. *National Academy of Sciences backs Bay approach to clean water*, Bay Journal September 2001,
11. *Chesapeake Notebook: Protecting the bay on streambanks miles away*, the Capital Newspaper, on-line edition 5/29/01
12. *A man's land, and clear water*, The Baltimore Sun, May 5, 2001
13. *Landowner's lobbying spurs help for streams*, The Baltimore Sun, May 6, 2001
14. *Chesapeake Notebook: Saving the Chesapeake Bay by saving watersheds*, The Capital Newsletter, on-line edition, November 8, 2001

#### **3 –*Outreach Meetings***

1. List of meetings
2. Sample invitation letter (6/1/01)
3. Sample confirmation letter (6/22/01)
4. Copy of PowerPoint presentations

5. Summary notes from first five meetings
6. Notes from individual meetings (7)
  - a. PD - 9 Rappahannock-Rapidan RC – July 27, 2001
  - b. PD - 5 Roanoke Alleghany Valley RC – July 31, 2001
  - c. PD -14 Piedmont PDC – July 31, 2001
  - d. PD - 11 Region 2000 RC – August 1, 2001
  - e. PD - 6 Central Shenandoah PDC – August 1, 2001
  - f. PD -10 Thomas Jefferson PDC – September 6, 2001
  - g. PD - 7 Northern Shenandoah Valley RC – September 7, 2001

#### **4 – *Formal Communications, Letters, Resolutions***

1. North Fork Shenandoah River / Holmans Creek Citizens' Watershed Committee, letter of August 31, 2001 to Governor Gilmore III
2. Headwaters SWCD letter, September 10, 2001, - - comments on the extension re duplication, existing successful voluntary programs
3. County of Rockbridge letter, September 12, 2001, - - authority exists, funding, no harm being created

#### **5 – *Statistical Data,***

1. Local Government Jurisdictions in the Potential Expansion Area of Chesapeake Bay Preservation Act – A List of Counties, Cities, Towns, and RC/PRDs
2. Map of Counties and Cities (untitled)
3. Table - - Impaired streams per river basin

#### **6 – *Locality Information***

1. Survey instrument and cover letter
2. Survey Results – Table – Counties
3. Survey Results – Table – Cities and Towns

#### **7 – *Economic and Fiscal Information***

1. Economic Impact Analysis, Virginia Department of Planning and Budget, for changes to 9 VAC 10-20, dated June 21, 2000.
2. CBLAD analysis/table: Budget Implications for Expansion; prepared for the 2001 General Assembly, SB 821
3. CBLAD Organization Chart, as of April 1, 2001
4. Excel Spreadsheet- CBLAD Staffing projections, Scenarios #1 and #2
5. Grant Program History - - Excel Spreadsheet (competitive grants)
6. Annual Report on the Virginia Water Quality Improvement Fund, Point Source Pollution Control, DEQ, January 2001.
7. WQIF Projects list 1998-2001

#### **8 – *Other – Referenced Materials not attached except for covers and tables of content***

1. The State of the Chesapeake Bay, October 1999, Chesapeake Bay Program
2. State of the Bay 2001, Chesapeake Bay Foundation
3. State of Our Rivers Report, For the Commonwealth of Virginia January 2001, Friends of the Rivers of Virginia (FORVA)
4. Virginia Water Quality Assessment, 305(b) Report, August 2000
5. Virginia 1998 303(D) TMDL Priority List and Report, October 1998 DEQ/DCR

6. 2000 Annual Report on Status of Tributary Strategies, Chesapeake Bay Agreement and Water Quality for Virginia's Chesapeake Bay and Tributaries, November 2000, SONR
7. Chesapeake Bay Implementation Grant Workplan for FY 01-02, July 1, 2001 to December 31, 2002, Draft of March 15, 2001, DCR and Grant Award dated July 18, 2001
8. Environmental Program Funding Synopsis (with Chesapeake 2000 Agreement subset) prepared for the Commission on the Future of Virginia's Environment, October 25, 2001, as presented by Secretary of Natural Resources Ronald P Hamm